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Dkt. 43016-C/JPW/AKC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip O. Livingston and Friedhelm Helling
Serial No.: 08/475,784
Filed : June 7, 1995
For : GANGLIOSIDE-KLH CONJUGATE VACCINE PLUS QS-21

1185 Avenue of the Americas
New York, New York 10036
September 1, 1995

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

Box: Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO AUGUST 9, 1995 NOTICE
TO FILE MISSING PARTS OF APPLICATION

This Communication is submitted in response to the August 9, 1995 Notice to File Missing Parts of Application issued by the U.S. Patent and Trademark Office in connection with the above-identified patent application. A copy of the Notice is attached hereto as Exhibit A. A response to the August 9, 1995 Notice is due September 9, 1995. Accordingly, this Communication is being timely filed.

Applicants submit herewith the Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.63 and attached hereto as Exhibit B. The Declaration refers to the application's above-identified serial number and filing date. The surcharge for submitting the Declaration and Power of Attorney under 37 C.F.R. §1.16(e) is SIXTY FIVE DOLLARS (\$65.00) for a small entity.

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Philip O. Livingston and Friedhelm Helling
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Filed: June 7, 1995
Page 2

The August 9, 1995 Notice further required the applicants to submit additional claim fees in the amount of TWENTY TWO DOLLARS (\$22.00) for a small entity. Applicants have previously established small entity status and this status is still applicable. A check in the amount of \$87.00 is enclosed to cover the surcharge for submitting the Declaration and Power of Attorney under 37 C.F.R. § 1.63(e) and the additional claim fees for a small entity.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone at the number provided below.

No fee, other than the \$87.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Albert Wai-Kit Chan

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Albert Wai-Kit Chan 9/1/95
Albert Wai-Kit Chan Date
Reg. No. 36,479

John P. White
Registration No. 28,678
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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09/4/5,784 06/07/95 LIVINGSTON P 43016-1/JPR

0222/0300

ALBERT WAI-KIT CHAN
COOPER & DUNHAM
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

DATE MAILED: 0000

**NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

05/09/95

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for large entities or \$ 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☒ large entity, ☐ small entity (verified statement filed), is \$ 174.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity ☐ small entity, must submit \$ _____ to complete the basic filing fee.
- ☒ Additional claim fees of \$ 44 as a ☒ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- ☒ The oath or declaration:
☒ is missing.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.
- ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ The signature(s) to the oath or declaration is/are: ☐ missing; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:
_____. An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.
- ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ _____ under 37 CFR 1.17(k), unless this fee has already been paid.
- ☐ A \$ _____ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).
- ☐ Your filing receipt was mailed in error because your check was returned without payment.
- ☐ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.
- ☐ Other.

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

BEST AVAILABLE COPY

A copy of this notice MUST be returned with the response.

COPY TO BE RETURNED WITH RESPONSE